

Washington State Department of Transportation
15700 Dayton Avenue North
Seattle, WA 98133

February 23, 2005

Request For Proposals
Everett HOV Design-Build

ATTENTION: All Short-listed Proposers

Response To Questions No. 5

82. **Question:** GP1-03.2 The 2nd paragraph, item 2 states, “In the event of a conflict among any Mandatory Standards, WSDOT shall have the right to determine in its sole discretion which provision applies regardless of the order of precedence of the documents in which such standards are referenced”. Please clarify whether the order of Precedence or WSDOT’s sole discretion will be used.

Response: The quotation above is referring to conflicts between “Mandatory Standards”, which are defined in 1-01.3(1) as “The documents and requirements identified as such in Chapter 2”. Each discipline in Chapter 2 (i.e., roadway, geotechnical, drainage) has a section titled “Mandatory Standards” which includes a discipline-specific table ranked by order of priority. Each discipline in Chapter 2 also contains the statement “If there is a conflict between Mandatory Standards, adhere to the Standard with the highest priority.” This is the desired method of resolving conflicts, therefore, the second paragraph in GP1-03.2 referencing Mandatory Standards conflicts will be modified by addendum to be consistent with this method.

83. **Question:** GP 1-05.3(2) The 1st paragraph states the D-B shall obtain WSDOT’s and third party’s written approvals prior to commencing any work related to modify the B.C. Does this include permit agencies? Is the D-B responsible for the cost associated with getting these approvals?

Response: Yes, and yes.

84. **Question:** GP 1-07.17(1).1 The 2nd paragraph states two reasons for relocating utilities. Please clarify if reason (b) includes upgrade to current standards?

Response: Yes.

85. **Question:** Section 1-09.9(1).1 Maximum Rate of Payment. What assurances does the Design-Builder have that additional funds will be available after July 1, 2007? The maximum payment curve cannot exceed \$100,000,000 before this date.

Response: Legislatively approved bond sales for this project provide \$100 million up through June 30, 2007 for payments to the Design-Builder. Bond sales for the 07-09 biennium fund the remainder of the project. The Department has the discretion to adjust the timing of the bond sales within the 07-09 biennium

based upon the Design-Builder's approved cost-loaded schedule in order to provide adequate funds for payments after July 1, 2007.

86. **Question:** Section 1-09.9(1)1 of the General Conditions states that the Maximum Rate of Payment will not exceed \$4M prior to July 1, 2005 and \$100M prior to July 1, 2007. Since the Washington's Nickel Funding Package funds this project, what happens to the project if the funds generated by the Nickel Funding Package are insufficient or if the program fails to meet the funding goals?
Response: The Nickel projects are actually funded by bond sales, paid down by the nickel gas tax. The Department will consider the Design-Builder's approved cost-loaded schedule when deciding when to sell bonds.
87. **Question:** GP 1-011.9(1) The 1st paragraph states the Design Reviews will be held in accordance with the approved QMP. The Draft QMP in appendix D does not state WSDOT review times. What does WSDOT anticipate their maximum review time to be for each design package?
Response: General Provision 1-011.10 affords the Department 5 working days to review a design package from the time it is designated by the Design-Builder as ready to be released for construction, until it is released for construction. Review times for interim stages of a design package (e.g., 30% 60% 90%) shall be as negotiated with the Department, but in general will be approximately 5 business days. An addendum will change "working day" to "business day" in 1-011.10. Note that there are case-specific review times in the RFP for various submittals that are different than 5 business days, and these case-specific durations take precedence.
88. **Question:** GP 1-011.9(3) The 2nd paragraph includes, Item E estimated quantities, as part of the 100% design submittal. Because these are not bid plans, is it still necessary to include quantities? If so, does this mean all quantities? In what format? And, for what purpose?
Response: This requirement will be modified by addendum to require, on Federally funded projects, that the Design-Builder submit FHWA form PR-47 within 30 calendar days after physical completion.
89. **Question:** ITP Section 3.1.3 states that "...appendices are not included in the page limitations" Please clarify what is allowed to be included in the appendices
Response: The appendices are for supplementary material as needed by the Proposer to provide clarification for their responses. The need for an appendix is at the discretion on the Proposer. As supplemental material it may, or may not, be used in the evaluation of the proposal by the Department (e.g. Concept Plan Sheets).
90. **Question:** Instruction to Proposers 3.5.14 states Proposers shall submit "An analysis of site conditions and functional requirements of the roadside within the Project limits." What is meant by "assess functional requirements of roadside?" and wouldn't the EIS have addressed this already?

Response: This requirement was deleted by Addendum #2.

91. **Question:** ITP, Section 3.5.11, Are structural concept plans required by each bridge and wall location or by each bridge and wall type? Does WSDOT require separate independent check calculations for each bridge final design?
Response: The ITP requires a plan view of each bridge and identification of all proposed retaining wall types along with the proposed type of sound wall. The ITP does not require the Proposer to provide independent check calculations for each bridge final design with their proposal. Technical Specification 2.26.5.6.7 is referring to submittal of design packages after contract execution, and requires "...at a minimum, that a senior experienced engineer check all designs, including making independent calculations for all structural elements. If a checking engineer is not available within the design firm or if the design firm does not have a documented, operative, and effective quality program consistent with the approved QMP, Design-Builder shall employ an independent firm to conduct the quality checks."
92. **Question:** RFP Instructions to Proposers, Appendix D, does WSDOT intend to provide Appendix D, Draft Quality Management Plan to the proposers in an editable format?
Response: The version of Appendix D that was released with the original RFP as a ".pdf" file on December 1, 2004 was provided to the teams in ".doc" format via e-mail on February 9, 2005. A future Addendum will make some changes to Appendix D, and will be provided in ".doc" format with the Addendum.
93. **Question:** Concept Plans, Is the DTM WSDOT provided based on any field survey data? If so, can you make the survey data available to the proposers?
Response: Yes, the DTM was based on a combination of photogrammetric data as well as field survey data. The raw field survey data will be released in a future Addendum.
94. **Question:** TS 2.1.1 The 2nd paragraph, Other Agencies, states that WSDOT does not guarantee that agencies will not impose additional requirements with their review of the design. If the other agencies impose additional requirements that conflict with the Basic Configuration, is this cause for a change with WSDOT?
Response: If other agencies impose requirements that require changes to the Basic Configuration and WSDOT concurs that the change is necessary, it is likely that this would be considered a Necessary Change to the Basic Configuration.
95. **Question:** Section 2.1.7.1.2 states that the "design-builder's document control system must be able to be integrated into the Department's system; implementation details will be arranged after Contract Award." Please confirm that the contractor will not be required to purchase software for this document control system?
Response: The Department is considering using either Primavera Expedition or Parsons Brinckerhoff "Project Solve2" - a decision is expected to be made before

the Proposal due date. The Design-Builder will not be required to purchase the document control software used by WSDOT, but will be required to purchase the document control software used by the Design-Builder and also to acquire basic software that transfers data between the Department's and Design-Builders document control systems.

96. **Question:** TS 2.7.3 Item 6 of this section stipulates the D-B shall provide pavements with no identifiable distress. Does this require the D-B to repair existing pavement that may not otherwise be required by the contract to be overlaid or replaced?
Response: The Design-Builder is required to repair existing pavement inside or outside of the project limits if the damage is caused by the Design-Builder's operations or negligence. Absent these, the contract does not require repair to any existing portland cement concrete pavement other than the grinding that is required to meet the surface smoothness requirements.
97. **Question:** Pavement structure along the edge of the new lanes. Are *As-Built* plans for pavement structure and location of CTB available?
Response: Additional information, As-Built, within the Project limits are available in the Northwest Region As-Built Plans and Right of Way office (Dayton Avenue Building). Please contact Mr. Jim Johnson, NWR As-Built Plans and Right of Way Office, at 206-440-4026.
98. **Question:** Section 2.8.4.3.7 states "if abnormal conditions are discovered during construction that indicate the presence of hazardous substance, immediately suspend work in the area and notify the Department." Please confirm that the contractor includes only the cost to remediate the planned excavation at WQ#1 and WQ#2, and not the area below the planned excavation at WQ#1 or WQ#2, or any other areas within the project limits.
Response: This is correct.
99. **Question:** According to the Draft Preliminary Investigation Report for Water Quality sites 1 and 2, low concentrations of hazardous constituents including petroleum, PAHs, metals and volatile organic compounds (VOCs) were detected in the samples collected from Water Quality Site #1. Further, this report states that "all concentrations were below the Model Toxics Control Act (MTCA Method A cleanup criteria." In correspondence to the Multi-Agency Permitting Team [MAP] from WSDOT, and in response to the Washington State Department of Ecology requesting site information, including analytical results of soil contamination to Ecology 'as soon as possible', WSDOT responded that "A copy of recent soil sampling from the site [i.e., Water Quality Site #1) is enclosed" (source: Page 4, Question 18' I-5 Everett HOV - Responses to MAP Team Early Project Coordination, 11/30/2004). Has Ecology provided comments about this data submittal? And if so, can WSDOT please provide these comments?

Response: Ecology has not provided a written response to the submittal, except to issue the Letter of Verification that a 401 Certification will not be required. This indicates that the data submittal was sufficient for their review needs.

100. **Question:** In the same report noted in the above question, soil and groundwater contaminants were encountered in samples collected from Water Quality Site #2, including petroleum (diesel, lube-oil, and gasoline), metals including arsenic, and PAHs. Several of these constituents were reportedly above their respective MTCA Method A cleanup criteria. Neither the source nor the extent of the contamination are known although speculation about a groundwater plume and its direction was provided. In the Recommendations (Section 7.0), Shannon & Wilson 'recommend[ed] that the property owner report the release to Ecology' (Page 16 of the Preliminary Draft). Has the contamination been reported to Ecology? If so, has Ecology indicated any action plans relative to these conditions?

Response: The contamination has been informally discussed with Ecology and will be formally reported shortly.

101. **Question:** TS 2.9.2.2.3 The 1st paragraph stipulates the D-B shall form a community involvement advisory group. And that this group is to evaluate landscape and aesthetic improvements. Is it the intent of WSDOT for this group to have approval or disapproval authority over the proposed design?

Response: The community advisory group will provide guidance and input of the proposed design and to the maximum extent possible, the Design-Builder shall accommodate the advisory group's recommendations within the proposal price limit and requirements of the various RFP sections. For the City Entrance Enhancement and Neighborhood Connections areas identified in page 1, Appendix M7 – Landscape Renderings, Corridor Continuity and Enhancement Opportunity Analysis, WSDOT will issue an Addendum providing the surface finish design for retaining and noise, abutments, and other aesthetic requirements. These will constitute part the City of Everett's requirements in meeting the Aesthetic goals of the Project. An addendum to the Instructions to Proposers will be issued providing the requirements of the Proposal Price breakout to address this possible situation.

102. **Question:** The Design Build Manual references a link on WSDOT's web site that is restricted to internal use. We are trying to access this link for research on Design Deviations. Please allow us to access the following web page:

<http://www.wsdot.wa.gov/eesc/design/projectdev/DesignVarianceIS.htm>

Response: The access to the website was revised to internal use only due to delayed entry of submitted design variances. If access is necessary for your team, please contact Roland Benito at 206.440.4612 to arrange your use of a WSDOT computer at the WSDOT Dayton Bldg. allowing you access to the database.

103. **Question:** In the Response to Questions #3, Question #19, reference is made to the absence of existing crown information in the provided cross-sections. Are we

to assume that the proposed crown matches the existing, or does WSDOT intend to provide additional information detailing the existing crown points and elevations?

Response: WSDOT did not obtain any data regarding the vertical or horizontal location of the crown point of existing NB or SB I-5. The cross-sections provided in the RFP, in the areas of the existing pavement surface, may be assumed accurate only at the left edge of the far left driving lane and the right edge of the far right driving lane. The cross-sections perform straight-line interpolation between these two points, which obviously fails to show a crown point that obviously exists. Design-Builders are expected to devise their own method of developing existing pavement cross-sections that meet the accuracy needs for designing and pricing their Proposal. This will be added by Addendum.

104. **Question:** The superelevation diagrams specify new superelevation rates to increase the design speed. The cross-sections indicate that implementation of these rates may cause overlays of up to 20 inches and cuts up to 4 inches into the existing surface. Please specify: 1.) Materials that may be used as filler in areas with deep fills over existing HMA; 2.) If removal and replacement of the entire paving section is required where there are cuts into the existing pavement indicated.

Response: The roadway profile (on which the cross-section template was based) developed by WSDOT for the RFP was not developed to the degree of accuracy and precision needed for establishing construction subgrade, surfacing, or paving elevations. The Design-Builder is expected to develop an “optimum” profile. The material to be used in “building up” above the existing asphalt pavement is a design issue for the Design-Builder’s pavement designer. Grinding of existing asphalt pavement is not expected to exceed 0.15 feet unless the Design-Builder provides an engineered design for the structural section to remain.

105. **Question:** A proposed ground profile was not provided for the LR Line in the HMA area. The cross sections rarely show the proposed ground matching the existing ground at the centerline of roadway. Roadway Sections LR-1 and LR-2 (sheet RS1) indicate that the profile point is at the C.L. Is it the intent of this project to create a new LR profile in the HMA area that does not follow existing ground?

Response: For areas on I-5 to be paved with HMA, a new profile is expected in the areas required by addendum #3 to have the superelevation corrected. A new profile is expected outside of those limits if that is what is necessary to meet the surface smoothness requirements. See also question #104.

106. **Question:** In Appendix M5, Roadway Section LR-1 (sheet RS1) shows the pivot point to be 12 feet right of CL. In Appendix M10, the cross sections from LR 206+00 to 216+20 show the pivot point is 24 feet right of CL. Please clarify which dimension is correct.

Response: Appendix M10 reflects concepts that were developed by the Department early in the RFP preparation process. Appendix M5 reflects concepts

that were developed later. The “correct” location of the pivot point for the location described above is where the existing pivot is. We expect the Design-Builder to match existing at this location.

107. **Question:** The superelevation slopes on cross-sections LR 239+00 to 247+00 do not match with the superelevation diagram on sheet RP20. Please clarify the desired superelevation rate for this area.
Response: The Design-Builder is expected to design an appropriate superelevation transition for this area. Note that per Addendum #3, a full super of 0.08 is required for the curve at PI LR 254+24.37.
108. **Question:** From LR 289+31 to 299+78, the superelevation diagram (sheet RP21) shows the proposed superelevation is 7.1% for this curve. Appendix M3, page 7, indicates that the standard superelevation rate for this curve is 8%, and it does not appear that a deviation was received for this curve. Please clarify the superelevation rate for this curve, and whether a new deviation is required for the use of the 7.1% rate.
Response: This issue has been addressed in Addendum #3.
109. **Question:** From LR 315+56 to LR 327+05, the superelevation diagram (sheet RP21) shows the proposed superelevation to be 7% for this curve. Appendix M3, page 7, indicates that the existing superelevation is 5%, and it will be upgraded to 7% (it does not have an “*” indicating that it is within the PCCP limits). Roadway Section LR-2 also indicates that this curve is within an overlay area. The HMA limit ends at approximate station LR 315+00. The cross sections show widening only (no overlay), and matching the existing superelevation, which is less than 7% (cross sections do not follow the superelevation diagram on sheet RP21). Does this curve require a 7% superelevation (which would require reconstructing the PCCP)? Or, is a new deviation required?
Response: For this curve, match the existing superelevation. The Design-Builder is not required to get a deviation for this curve.
110. **Question:** Cross sections were not provided from 375+00 to 455+00 of the LL Line. Appendix M3, page 7, indicates that the curve from LL station 433+55 to LL 448+12 will be upgraded to an 8% superelevation. The Superelevation Diagram (sheet RP22) also indicates an 8% superelevation. Since this is different from the existing superelevation, will cross section information be provided?
Response: InRoads files provided in Appendix M10 show the existing ground. See Addendum # 3 regarding the Superelevations concerns. Also, see the Answer to question #103. THE RFP CONCEPTUAL PLANS ARE “CONCEPTUAL” AND NOT ACCEPTABLE AS FINAL DESIGN OR FOR CONSTRUCTION.
111. **Question:** A proposed ground profile was not provided for the LL Line for the majority of the HMA area. The cross sections rarely show the proposed ground matching the existing ground at the Centerline. The Roadway Sections LL-1, LL-

- 2, and LL-3 (sheet RS3) indicate that the profile point is at the Centerline. Is it the intent of this project to create a new profile along the LL Line, in the HMA area, that does not follow the existing ground?
- Response:** See questions # 104 and 105 for further clarification, and Addendum #3.
112. **Question:** From LL 489+70 to 497+11, the superelevation diagram (sheet RP23) shows the proposed superelevation to be 8.2% for this curve. Appendix M3, page 7, indicates that the Standard superelevation rate for this curve is 10%, and it does not appear that a deviation was received for this curve. Is a new deviation required for use of the 8.2% superelevation?
- Response:** From Addendum #3, it can be inferred that the Design-Builder is expected to match the existing superelevation for this area. The Design-Builder will not be required to obtain a deviation for superelevation of this curve.
113. **Question:** In the section from LL 546+00 to 556+00, Roadway Section LL-3 (sheet RS3) specifies the pivot point to be 24 feet Left of the LL Line. The cross sections show the pivot point 12 feet left of the LL Line. Which one is correct?
- Response:** See the response to question #106.
114. **Question:** From LL 556+00 to LL 571+00, Roadway Section LL-4 (sheet RS4) shows the pivot point and profile grade to be 24 feet Left of the centerline. The LL Line profile is shown on sheet RP17, RP18, and RP19. The cross sections show the pivot point 12 feet Left of the centerline, and the profile grade at the Centerline. Which is correct?
- Response:** In this case, the roadway sections are correct. Appendix M5 Sheet RP17 to RP 19 will be corrected in Addendum #5.
115. **Question:** Profiles, superelevations, and cross sections were not provided for the FL Ramp. The LL cross sections show the FL Centerline, and a proposed top of pavement. The Paving and Barrier Plan show that the FL ramp is being overlaid to approximately FL 15+60, and reconstructed from 15+60 to 19+44. Cross sections from LL 559+00 to 562+00 show this overlay to be nearly 2 feet in depth, and the superelevation is drastically different from the existing ramp. Does the cross section represent WSDOT's intent for the FL Ramp, since it is the only information we have for this area? Can more information be provided to clarify the existing and proposed geometry for this ramp?
- Response:** Reconstruction of the FL-line depends on the magnitude of the reconstruction of the SB I-5 from station LL554+94 to 582+00 to accommodate the HOV Direct Access on & off ramps at Broadway.
116. **Question:** For the LL line, from 572+00 to 581+00, Roadway Section LL-4 (sheet RS4) shows the pivot point and profile grade to be 24 feet Left of the centerline. The LL Line profile is shown on sheet RP19. The cross sections show both the pivot point and the profile grade to be at the Centerline. Which is correct?

Response: See the response to question #106.

117. **Question:** The cross sections from LL 571+18 to 574+68 do not follow the superelevations shown on sheet RP19. Which superelevation rate is correct?
Response: For this area, match the existing superelevation.
118. **Question:** From LL576+40 to LL 582+00, the profile (sheet RP19) and the cross sections show reconstructing across all of the lanes, below the existing ground. The Paving and Barrier Plans show only outside widening in this area, indicating that it is within the PCCP area. Which is correct?
Response: This depends on the magnitude of the reconstruction of SB I-5 from station LL554+94 to 582+00 to accommodate the HOV Direct Access on & off ramps at Broadway. Plan sheets P13, P14 and P15 will be updated to reflect the profile provided on Sheet RP17, RP18 and RP 19 in Addendum #5.
119. **Question:** Technical Specifications, Table 2.12.1, Priority 3 listed “Design Manual for Design Build Projects” as No. M21-01. Should it be No.M22-02?
Response: Yes, the document number for the Design Manual for Design-Build Projects in Table 2.12.1, Priority 3 should be M22-02. This will be addressed in Addendum #5.
120. **Question:** TS 2.12.1 The 1st paragraph states the D-B shall coordinate all design with future projects, including the 41st Street interchange. Please further define what is intended of the D-B. Does this requirement make it incumbent upon the D-B to guarantee that its design shall accommodate future projects without any rework? Is the 41st Interchange Project defined other than what is contained as sketches in Appendix I, Access Decision Report?
Response: The Basic Configuration contains elements of the project that are shown in the Conceptual Plans. These elements have been coordinated in the Environmental Assessment and Access Point Decision Report to avoid impacts, rework, and increased costs to the City of Everett’s concept for the 41st Street Interchange Project. It is intended that the DB prepare their proposal with theses limitations or provide an Alternative Technical Concept for consideration which would mitigate for any “changes” proposed to the Basic Configuration. The most current information is contained in Appendix I, Access Point Decision Report.
121. **Question:** Technical Specifications, 2.12.4.3, Please provide construction specification for “Deck Protection System 1” and “Deck Protection System 3”. Also is Deck Protection System 3 required for all existing bridge decks that are to be widened?
Response: Deck Protection System 1, per Section 2.12.4.3, is simply epoxy-coated top mat steel reinforcing bars with 2-1/2 inches of cover over the top mat. Construction Specifications for Deck Protections 3 is covered in (Section 08.GB6 – Waterproofing) of the Structures GSP in Appendix B3.12- Bridge Design in the RFP. Deck protection system 3 is required for all bridges that have an existing asphalt overlay. A future Addendum will delete the requirement for a modified

- concrete overlay to replace the ACP overlay on bridges 5/626E&W, and instead will require the entire deck (old and new) to have a new deck protection system 3 installed.
122. **Question:** Technical Specifications, 2.12.4.9, Please provide copies of Bridge Inspection Report for all existing bridges that are to be widened.
Response: These will be provided with Addendum #5.
123. **Question:** Appendix Q – Railroad Exhibits, sheet 4 of 4 shows a pier located adjacent to the gravel road. Is it acceptable to put a pier in this area (as long as it is no closer than 25 feet to the centerline of track), even though the right-of-way plan in Appendix R (sheet 43 of 44) indicates that area is an easement rather than right-of-way? What restrictions (if any) are there on the use of that easement?
Response: The pier location provided in the RFP provides room for a planned future added track by BNSF and maintenance of an access road for the City of Everett. Furthermore, placement of piers must be within the WSDOT Right-of-Way. If the Design-Builder elects to place piers outside of the Right-of Way that WSDOT has identified it is acquiring, the Design-Builder can propose this concept with the approval of the City of Everett and the BNSF Railroad. The Design-Builder shall bear all the resulting risk and liabilities associated with the acquisition and change in Right of Way.
124. **Question:** Are existing manhole structures allowed to remain in new travel lanes?
Response: No.
125. **Question:** The definition of “reline” according to the WSDOT Hydraulics Manual is installing a new pipe of a smaller diameter inside of the existing pipe and grouting the space between. Spec Section 2.13.4.2.6.6 states “If an existing pipe is to be relined, maintain at least the same hydraulic capacity...”. This is not possible if we reline the existing pipe. Does WSDOT mean to allow “sliplining”, which is installing a synthetic liner inside the existing pipe? This material would be much thinner and any volume loss could be made up for with lower hydraulic friction.
Response: Sliplining is acceptable unless there are other structural deficiencies which would require replacement. This will be addressed by future addendum.
126. **Question:** Technical Spec Section 2.13.4.2.6.6 states “Evaluate and replace or reline all existing drainage pipes and culverts under the proposed roadway and ramps”. Evaluate is clear enough, but are we required to reline all pipes (CMP, RCP, PVC) or just those pipes whose inverts are in disrepair?
Response: Only those pipes and culverts in disrepair need to be addressed.
127. **Question:** Technical Spec Section 2.13.4.2.6.6 – What is meant by “Structurally evaluate”?

- Response:** Determine whether or not the pipe has adequate strength to withstand the loads to which it will be exposed for 50 years, and whether or not the pipe will function in accordance with its intended purpose. This requirement will be added by future Addendum.
128. **Question:** Technical Spec Section 2.13.2.3 states “Elements of the existing drainage system that shall remain in place shall be identified and inspected for conditions in accordance with the WSDOT Highway Runoff Manual.” We cannot find any identification or inspection requirements in this manual. Are they referencing a different manual?
Response: This will be deleted by Addendum. Refer to Question # 127.qqq
129. **Question:** TS 2.13.4.2.3 Please clarify the statement, where bridge deck drainage is required, existing bridge drains in the bridge deck shall be replaced by grate inlets off the ends of the bridge wherever possible. Is it WSDOT’s intent for the D-B to intercept storm runoff with minimal bypass flows prior to the bridge?
Response: It is the intent of WSDOT to have as few bridge drains as possible. However it is the responsibility of the Design-Builders Hydraulic Engineer to determine where they are required.
130. **Question:** Table 2.14.1 references numerous manuals and policies, and Section 2.14.4.6.4 references Appendices M7 and W1. Is it WSDOT’s intent that the renderings in M7 and W1 be followed or is the D/B required to elaborate on these or come up with alternatives. In other words, has the public been given the idea that, for example, WQF #1 is going to look like that shown in Appendix M7?
Response: The Design-Builder is expected to provide Water Quality Site #1 as close as possible to that described in Appendix M7 and W1, because that is what the public has been told they will get - the public is supportive and expecting WQ site #1 to look like the renderings in M7. A future addendum will require the landscaping expectations for other areas.
131. **Question:** TS 2.14.1.4 Is the WSDOT Aesthetic Review Team different, a subset of, or the same as the Community Advisory Group described in 2.9.2.2.3?
Response: The Community Advisory Groups will provide input to the Design-Builder and the WSDOT Aesthetic Review Team.
132. **Question:** Technical Specifications, 2.16.4, Is high mast illumination acceptable between stations LR 319+20/LL 530+00 and approximate station LR 460+00/LL 673+00 as long as it meets the criteria of 2.16.4.1.11 “Photometric Analysis”, Item #8?
Response: No. The RFP says the Design-Builder “shall” install standard illumination at this location. In the absence of an ATC for high mast lights at this location, Proposals are REQUIRED to comply with the RFP. The Department would consider high masts as a Category B change after contract execution; however, note that the Design-Builder would be required to supplement the Environmental Assessment and possibly the FONSI, and also address any citizen

complaints of fugitive light. See also Question #27.

133. **Question:** Technical Specifications, 2.16.4.1, This section states, "Continuous freeway illumination including mainline, entrance & exit gore areas, ramps & crossroads." is required. (Page 154 of 299) This contradicts, perhaps, the illumination as specified by stationing in 2.16.1.3 and 2.16.1.4 (Page 149~151 of 299 of the RFP). When the lighting is laid out on the plan sheets per this stationing the mainline is not illuminated between LR 231+00/LL 443+00 and LR 319+20/LL 530+00. Is this section of mainline to be illuminated?
Response: No, the section of the mainline between LR231+00/LL443+00 and LR319+20/LL530+00 does not require illumination. Section 2.16.4.1 will be clarified in Addendum #5.
134. **Question:** Is high mast illumination mounted in the median acceptable?
Response: Refer to question # 132.
135. **Question:** Please confirm that the communication between the HUB at 190+00 and the TSMC will be provided by WSDOT.
Response: WSDOT will provide a single mode fiber optic cable between the HUB at 190+00 and the TSMC. Addendum #4 described the hardware to be provided by the Design-Builder at the HUB and the TSMC to make this fiber operational.
136. **Question:** Please confirm that the RFP does not require a deliverable for Illumination, Signal or ITS.
Response: The deliverables include warranties, design plans, specifications, calculations, catalog cuts, shop inspection and shop test reports, field inspection and field test reports, as-builts, owners and operators manuals, and other items defined in the RFP.
137. **Question:** Are the five CCTV cameras installed at the beginning of construction intended to be part of the permanent installation? And will they become the property of WSDOT if removed after construction is complete?
Response: The five early temporary CCTV cameras are not required to become part of the permanent installation, but they could be part of the permanent installation if the Design-Builder meets all the contract requirements for both the temporary and permanent systems. The temporary cameras become the property of the Design-Builder if a separate permanent system is installed.
138. **Question:** Are leased telephone company connections between the five temporary cameras and the TSMC acceptable?
Response: Yes. It is up to the Design-Builder to decide how they are going to meet the requirements of the RFP for the temporary system.
139. **Question:** Will down time be allowed for the changeover of the existing HUB to the new HUB?

- Response:** Yes. This was addressed in Addendum #4.
140. **Question:** Is the intent of the RFP to move the existing equipment in the existing HUB to the new HUB and reinstall it there?
Response: Yes. This was addressed in Addendum #4.
141. **Question:** Is temporary video detection required at signal locations only?
Response: Yes.
142. **Question:** Will temporary signal systems become the property of WSDOT when removed?
Response: No.
143. **Question:** Will temporary video detection systems become the property of WSDOT when removed?
Response: Yes, the temporary video detection systems will become the property of WSDOT when removed. This requirement will be addressed in Addendum #5.
144. **Question:** Technical Specifications, 2.17, 2.17.1 states "replace traffic signal system at the SR 526 and S Broadway Ave intersection." Does this imply that this is the only required intersection required as part of this proposal?
Response: Yes, in the current RFP (i.e., up through Addendum #4), this is the only signalized intersection to be replaced. This could change in a future addendum.
145. **Question:** TS 2.20.3.1 Can the Traffic Control Supervisor and the Traffic Engineering Manager be the same person?
Response: Yes, provided the one person can meet all of the responsibilities and minimum qualifications of the positions.
146. **Question:** TS 2.20.3.2 The 3rd bullet states the MOT plan shall consider the process for obtaining Acceptance by Stakeholders of switching procedures. DO stakeholders have approval authority and the authority to stop work?
Response: Stakeholders do not have the approval authority or the ability to stop work, other than the City of Everett for City streets.
147. **Question:** In Appendix D, page 11 of 93, in the Roles and Responsibilities table, the Environmental Compliance Manager is listed. On page 14 of 93, in the same table, the Environmental Compliance Manager is listed again, but with different roles/responsibilities and different qualifications. Please clarify which table is correct, and confirm that the ECM is not required to be a P.E. as indicated on page 14.
Response: The listing for the Environmental Compliance Manager on page 14 of Appendix D will be deleted by Addendum. The Environmental Compliance Manager is not required to have a P.E. license.

148. **Question:** App D 4.3.3 This section states that the 100% design shall be independently checked. What are the guidelines for independent check? Does this mean a separate set of design calculations? If so, on the same bridge or wall or does this even mean to include an independent layout of the structure? Does this encompass all components of the design, including details on non-structural elements? Can the independent check be performed by an engineer involved on the project that is not involved the design of the structure being designed? Does the independent check allow for the use of the same design software and the same inputs?
Response: Five pages are provided in Technical Specification 2.26.5.6.
149. **Question:** App D 4.7 The 1st paragraph states WSDOT acceptance of design will occur after acceptance of construction. Will WSDOT accept construction as work elements are completed (e.g. a bridge, drainage work, a wall)? Prior to accepting construction, but after 100% plan review does WSDOT have the right to comment on the design?
Response: WSDOT will not accept construction as construction work elements are completed. Construction is accepted on only two occasions, and on those occasions the project is accepted as a whole – first upon physical completion, and second at the end of the warranty period. WSDOT has the right to comment on Design Documents until Final Acceptance.
150. **Question:** The Storm water Technical Report (Appendix H-1) indicates a slide occurred in the Lowell landslide area in August 2003 and that temporary repairs were designed and constructed. Please provide the design and as-built information for this work.
Response: As-builts are available in the Northwest Region As-Built Plans and Right of Way office (Dayton Avenue Building). Please contact Mr. Jim Johnson at 206-440-4026.
151. **Question:** Appendix J, The web site link as provided in the RFP, Appendix J to “WSDOT Bridge Design Manual 2004” is not active. Please provide the correct link.
Response: The link provided in the RFP, Appendix J is active, but requires Adobe Acrobat in order to open the PDF document.
152. **Question:** Appendix M9 Electronic CADD files is in DGN or Microstation format. At the WSDOT Q and A session (last Friday - 1/14/05) an individual with WSDOT in the back of the room stated it was "easy to convert the files to PDF or DWG format". Can WSDOT provide the converted Appendix M9 files (there are 19 in all) in PDF (adobe read only) or DWG (AutoCAD) format?
Response: PDF and DWG files have been provided. WSDOT is not going to provide any more file conversions for the bridges.
153. **Question:** Section 1-03.4 Contract Bond, last paragraph states ‘Whenever WSDOT deems the Surety or sureties to be inadequate, it may, upon written

demand, require the Design-Builder to furnish additional Surety to cover any remaining work. Until the added Surety is furnished, payments on the Contract will stop.’ What are the criteria for deeming the Surety inadequate? Failure of a Surety resulting in inadequate Surety should not in and of itself be reason for unilateral non-payment, and Design-Builder should be allowed 30 days to correct the inadequacy.

Response: The criteria used in determining a Surety’s adequacy will be the same as that listed in the ITP. General Provision 1-03.4 will be revised by addendum to reference the same criteria. Regarding non-payment, this language is directly from the WSDOT Standard Specifications and will stand as written.

154. **Question:** RFP section 1-03.15(3), Confidentiality of Bid Documentation, provides: “The bid documentation and affidavit in escrow are and will remain the property of the Design Builder. The State has no interest in or right to the bid documentation and affidavit other than to verify the contents and legibility of the bid documentation unless litigation ensues between the State and Design Builder over claims brought by the Design Builder arising out of this contract. In the event of such litigation, the bid documentation and affidavit may become the property of the State for use in the litigation as may be appropriate subject to the provisions of any court order limiting or restricting the use or dissemination of the bid documentation and affidavit as provided in the preceding section entitled Duration and Use.” It is our understand that once the Design Builder’s proprietary bidding documentation becomes “property of the State” it will be subject to Washington State law covering disclosure of public records and documents, in particular RCW Chapter 42.17. Please explain why the State considers it necessary to take ownership of the escrowed bid documentation and affidavit, and how the State intends to protect the confidentiality of Design Builder’s proprietary information from public disclosure if the bid documentation becomes “property of the State”

Response: This language was taken directly from a WSDOT GSP. WSDOT takes possession of the documents for litigation purposes. RCW 42.17 (Public Records Act) can cover writings either prepared, owned, used or retained by the public agency. As such, it does not make any difference whether the term “owned” or “ownership” is used or not. If a third party request were made for the documents, WSDOT should notify the Design-Builder of the request and it would then be up to the Design-Builder to address the release of the documents pursuant to RCW 42.17. The provision stands as written.

155. **Question:** GP 1-04.1 The 3rd paragraph states the D-B has the right to assume that the Basic Configuration (BC) is feasible and represents a reasonable engineering approach to the Project. Please further describe what is meant by “right to assume”. Does this infer that the D-B can rely on the BC and that otherwise there would be a cause for a change order? Are any undiscovered deviations or level of service deficiencies a cause for change?

Response: A new section 1-04.4(8) will be added to the General Provisions by future addendum which directly addresses the right to a Change Order for a

Necessary Basic Configuration Change. In addition, see Sections 1-02.1 and 1-02.2 which further address this issue.

156. **Question:** Section 1-07.18 (1) Required Insurance 2. Commercial General Liability Insurance. Insurance is required on ISO form CG 00 01 07 98. Products and completed operations (for a minimum of ten years following Physical Completion). Invoking the Commercial Unavailability of Required Coverages 1-07.18(2), 9, the insurance market does not currently provide this coverage beyond 3 to 5 years. How should we proceed?
Response: The provision will be revised by addendum to reduce the required tail coverage to five years.
157. **Question:** Section 1-07.18(1) Required Insurance 4. Environmental Liability Insurance. Insurance of \$10,000,000 is required with an annual aggregate. Invoking the Commercial Unavailability of Required Coverages 1-07.18(2), 9, the insurance market provides this coverage with a policy aggregate. There is no five-year extended reporting period as this coverage is written on an occurrence basis. How should we proceed?
Response: The provision will be revised by addendum. The Environmental Liability Insurance coverage is to be provided on a claims made basis with a five-year extended reporting period.
158. **Question:** 1-07.18(2) Under Environmental Liability Insurance, the language as drafted would require a project specific policy because provisions of such insurance on an "occurrence" basis is not typically provided in a practice policy. Please confirm that WSDOT intends for the proposer to purchase this insurance on a project specific basis. If not, the word occurrence should be replaced with "per claim".
Response: The provision will be revised by addendum. The Environmental Liability Insurance coverage is to be provided on a claims made basis with a five-year extended reporting period.
159. **Question:** Section 1-07.18 (1) Required Insurance 6. Professional Liability Insurance. The Design-Builder is required to provide \$15M in professional liability coverage for the Design-Builder and any Subcontractors (including design subconsultants) of any tier. Further, the policy shall not contain any provision or exclusion (including any so-called 'insured versus insured' exclusion or 'cross liability' exclusion) the effect of which would be to prevent, bar, or otherwise preclude WSDOT or the Design-Builder from making a claim which would otherwise be covered by such policy on the grounds that the claim is brought by an insured or additional insured against an insured or additional insured under the policy. Invoking the Commercial Unavailability of Required Coverages 1-07.18(2), 9, the professional liability insurance market provides project specific policies that will no longer include any non-design professional parties, including the Design-Builder and WSDOT as Additional Named Insureds. How should we proceed?

Response: The provision will be revised by addendum.

160. **Question:** Section 1-07.18(2) General Insurance Requirements 1. Premiums, Deductibles and Self-Insured Retentions states ‘Any deductible or self-insured retentions over \$10,000 in the Design-Builder or Subcontractor provided insurance must be declared and approved by WSDOT’. This is a very low limit in the insurance market. At what point in the procurement process is the Design-Builder to make the declaration on the deductibles? Please remove ‘...or Subcontractor...’ as this is a decision of the Design-Builder.

Response: The deductibles must be declared before the insurance policies are required to be provided--which for most of the policies is to occur prior to contract execution. The requirement to obtain approval of Subcontractor deductibles will be deleted by addendum.

161. **Question:** Section 1-07.18(2) General Insurance Requirements 4. Endorsements and Waivers (d) please add after 45 days, ‘(10 days for non-payment of premium)’. This is what is commercially available.

Response: The provision will be revised by addendum.

162. **Question:** Section 1-07.18(2) General Insurance Requirements 4. Endorsements and Waivers (e) endorsement on form CG-20-10 (1985 edition) is not available for all subcontractors. Please consider amending this section accordingly.

Response: If a subcontractor is unable to provide the required endorsement, the Contractor should so advise WSDOT and seek a waiver of the requirement.

163. **Question:** Section 1-07.18(2) General Insurance Requirements 5. Waivers of Subrogation. All subcontractors may not be able to secure this. Please consider changing the wording to ‘Design-Builder shall require, to the extent commercially available, all Subcontractors to provide...’

Response: If a subcontractor is unable to provide the required endorsement, the Contractor should so advise WSDOT and seek a waiver of the requirement.

164. **Question:** 1-07.18(7)b.(b) Builders risk insurance requirements indicate that the builder’s risk insurance coverage is to include “soft cost expense cover”. Please define and quantify “soft cost expense cover”.

Response: The provision will be revised by Addendum to identify a specific reference to define “soft cost expense cover.”

165. **Question:** 1-07.18(2) Under Builders risk, the policy will need to exclude coverage for damage due to terrorism which is generally excluded from such policies after 9/11. The Risk of Loss section appropriately excludes it from the risk of loss.

Response: WSDOT is aware of the exclusion.

Bob Dyer
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